

Message Text

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PAGE 01 ROME 08668 111740Z

ACTION COME-00

INFO OCT-01 EUR-12 IO-13 ISO-00 AGRE-00 CEA-01 CIAE-00

DODE-00 EB-08 FRB-03 H-01 INR-10 INT-05 L-03

LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05 SS-15

STR-07 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01

DOE-15 OES-07 /133 W

-----072518 120646Z /20

R 111620Z MAY 78

FM AMEMBASSY ROME

TO SECSTATE WASHDC 2689

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY THE HAGUE

USMISSION GENEVA

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USEEC ALSO FOR EMBASSY

USMTN ALSO FOR MISSION

E.O. 11652: N/A

TAGS: ETRD, MTN, IT

SUBJECT: ITALIAN HALLMARKING REQUIREMENTS

REF: STATE 111664

SUMMARY: ITALIAN HALLMARKING REQUIREMENTS ARE APPLIED ONLY AT THE TIME OF SALE WITHIN THE COUNTRY. THEREFORE, FOREIGN JEWELRY MAY BE INTRODUCED IN ITALY AND REACH THE IMPORTER'S WAREHOUSE WITHOUT ANY IMPEDIMENT OR SPECIAL FORMALITIES. IN 1976, U.S. SALES
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PAGE 02 ROME 08668 111740Z

IN ITALY OF JEWELRY SUBJECT TO LOCAL HALLMARKING REQUIREMENTS AMOUNTED TO ONLY ABOUT \$475,000, WHILE TOTAL ITALIAN IMPORTS, (PRINCIPALLY FROM GREAT BRITAIN, GERMANY, FRANCE AND CHINA TOTALLED ABOUT \$5 MILLION. ITALIAN HALLMARKING REQUIREMENTS WOULD APPEAR TO HAVE A NEGLIGIBLE IMPACT ON U.S.-ITALY TRADE AT PRESENT. NEVERTHELESS, EVEN IF APPLIED ONLY AT THAT TIME OF SALE, THESE REQUIREMENTS DO POSE PROBLEMS AS DESCRIBED HEREIN FOR IMPORTED

JEWELRY AND THEY DO CONSTITUTE A NON-TARIFF MEASURE (NTM).
END SUMMARY.

1. UNDER EXISTING LEGISLATION, ALL ARTICLES OF PLATINUM GOLD AND SILVER SOLD IN ITALY ARE REQUIRED TO BE HALLMARKED TO SHOW (1) CONFORMITY TO ITALIAN LEGAL STANDARDS; AND (2) IDENTIFICATION NUMBER OF LOCAL MAKER OR IMPORTER. HALLMARKS MAY BE OBTAINED BY LOCAL JEWELRY MAKERS AND IMPORTERS UPON APPLICATION TO THE GOVERNMENT ASSAY OFFICE HAVING JURISDICTION IN THE PROVINCE IN WHICH THE LOCAL MAKER OR IMPORTER IS DOMICILED. ITALIAN LEGAL STANDARDS ARE AS FOLLOWS: PLATINUM 950/1000; PALLADIUM 950/1000; GOLD 750/1000, 585/1000, 500/1000, AND 333/1000; SILVER 925/1000, 835/1000, AND 800/1000. JEWELRY MADE LOCALLY IS REQUIRED TO CONFORM TO LEGAL STANDARDS AND, THEREFORE, THE HALLMARK ON SUCH JEWELRY SHOWS THE FINENESS OF THE PRECIOUS METAL IT ACTUALLY CONTAINS.

2. IMPORTED JEWELRY MUST SHOW THE FOREIGN COUNTRY MAKER'S MARK AND SUCH MAKER IS REQUIRED TO BE REPRESENTED IN ITALY BY POWER OF ATTORNEY NOTARIZED BY AN ITALIAN CONSULATE AND REGISTERED WITH LOCAL AUTHORITIES. IN ADDITION, THE JEWELRY IN QUESTION MUST BE HALLMARKED BY THE LOCAL IMPORTER IN ACCORDANCE WITH ITALIAN HALLMARKING LEGISLATION.

3. ITALIAN LAW PERMITS WAIVER OF HALLMARKING BY THE IMPORTER OF ARTICLES STAMPED WITH THE OFFICIAL MARK OF A FOREIGN COUNTRY LIMITED OFFICIAL USE

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PAGE 03 ROME 08668 111740Z

IN WHICH SUCH A MARK IS MANDATORY AND ATTESTS THE DEGREE OF FINENESS OF THE PRECIOUS METAL. THIS EXEMPTION IS GRANTED ONLY IF IT APPEARS THAT THE COUNTRY OF ORIGIN OF SUCH ARTICLES ACCORD SIMILAR TREATMENT TO OBJECTS MADE IN ITALY AND THE ATTESTED FINENESS IS EQUAL TO, OR GREATER THAN THAT REFLECTED BY ITALIAN LEGAL STANDARDS.

4. ACCORDING TO LOCAL BUSINESS SOURCES INTERVIEWED BY THE EMBASSY, THE ABOVE REGULATIONS PRESENT THE FOLLOWING MAJOR PROBLEMS: (A) FOREIGN MAKERS OF JEWELRY EXPORTED TO ITALY GENERALLY ARE UNWILLING TO APPOINT A REPRESENTATIVE IN ITALY. IN ADDITION, IT APPEARS UNNECESSARY TO APPLY SUCH A REQUIREMENT ON FOREIGN JEWELRY HALLMARKED IN ACCORDANCE WITH ITALIAN REGULATIONS BY A LOCAL IMPORTER. IN FACT, UNDER THE LAW, THE LOCAL IMPORTER IS FULLY RESPONSIBLE FOR THE JEWELRY HE HAS IMPORTED AND SOLD IN ITALY WITH AN ITALIAN HALLMARK WHICH MUST SHOW HIS IDENTIFICATION NUMBER. ROBERTO VESPASIANI, ONE OF THE LEADING LOCAL JEWELERS AND A MEMBER OF THE BOARD OF DIRECTORS OF UNIONE COMMERCianti DI ROME (I.E. THE ASSOCIATION OF ROME RETAILERS), ADVISED THAT STEPS ARE BEING TAKEN, WITH THE CONCURRENCE OF APPROPRIATE ITALIAN ASSAY AUTHORITIES, TO REMOVE THE ABOVE-MENTIONED REQUIREMENT AND HE IS HOPEFUL THAT IT WILL BE ABOLISHED. THIS INFORMATION HAS BEEN CONFIRMED BY THE CENTRAL ASSAY OFFICER OF THE MINISTRY OF INDUSTRY

AND COMMERCE. THE LATTER INDICATED, HOWEVER, THAT SUCH ACTION DOES NOT APPEAR LIKELY IN THE FORESEABLE FUTURE. (B) RECOGNITION IN ITALY OF FOREIGN HALLMARKS IS ACCORDED ONLY WITH RESPECT TO ARTICLES IMPORTED FROM THE EC AND EFTA COUNTRIES AND SWITZERLAND. THESE COUNTRIES APPEAR TO HAVE AGREEMENTS WITH ITALY COVERING THIS SUBJECT. AS ITALY DOES NOT HAVE SUCH AN AGREEMENT WITH THE U.S., JEWELRY MADE IN THE U.S. IS REQUIRED TO BE HALLMARKED IN ITALY, EVEN IF IT ALREADY HAS BEEN STAMPED WITH AN OFFICIAL MARK IN THE U.S. (C) THE ITALIAN LEGAL STANDARD REQUIRED BY LAW, TO BE SHOWN ON IMPORTED REPEAT IMPORTED JEWELRY IS THAT IMMEDIATELY BELOW THE ACTUALLY DEGREE OF FINENESS. FOR EXAMPLE, THE ITALIAN HALLMARK ON IMPORTED 14 KR. GOLD-JEWELRY IS 500/1000. AS A RESULT, GOLD JEWELRY IMPORTED FROM THE UNITED STATES, WHICH IS USUALLY 14 (4., IS REQUIRED TO SHOW IN ITALY A STANDARD CONSIDERABLY LIMITED OFFICIAL USE

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PAGE 04 ROME 08668 111740Z

BELOW THE ACTUAL DEGREE OF FINENESS (I.E. 583.75). GARDNER

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NNN

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